

SENATE BILL 190

By Norris

AN ACT to amend Tennessee Code Annotated, Title 71,
Chapter 5, relative to the Tennessee Medicaid
False Claims Act.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated Section 71-5-182(a)(1)(B), is amended by deleting the subdivision in its entirety and substituting instead the following language:

(a)

(1)

(B) Knowingly makes, uses, or causes to be made or used, a false record or statement material to a false or fraudulent claim under the Medicaid program;

SECTION 2. Tennessee Code Annotated Section 71-5-183(g), is amended by deleting the subsection in its entirety and substituting instead the following language:

(g) Any employee, contractor, or agent shall be entitled to all relief necessary to make that employee, contractor, or agent whole, if that employee, contractor, or agent is discharged, demoted, suspended, threatened, harassed, or in any other manner discriminated against in the terms and conditions of employment because of lawful acts done by the employee, contractor, agent, or associated others in furtherance of an action under this section or other efforts to stop one (1) or more violations of this subchapter. The relief shall include reinstatement with the same seniority status the employee, contractor, or agent would have had but for the discrimination, two (2) times the amount of back pay, interest on the back pay, and compensation for any special damages sustained as a result of the discrimination, including litigation costs and reasonable attorneys' fees. An action under this subsection (g) may be brought in the

appropriate court for the relief provided in this subsection (g), but may not be brought more than three (3) years after the date when the retaliation occurred.

SECTION 3. This act shall take effect upon becoming law, the public welfare requiring it.